

KAUA'I PLANNING COMMISSION  
REGULAR MEETING  
**September 8, 2015**

The regular meeting of the Planning Commission of the County of Kaua'i was called to order by Chair Anderson at 9:12 a.m., at the Līhu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Chair Angela Anderson  
Vice Chair Sean Mahoney  
Mr. Louis Abrams  
Mr. Wayne Katayama  
Ms. Amy Mendonca

Absent and Excused:  
Mr. Kimo Keawe

The following staff members were present: Planning Department – Michael Dahilig, Shanlee Jimenez, Kaaina Hull, Dale Cua, Marisa Valenciano, Marie Williams; Deputy County Attorney Jodi Higuchi-Sayegusa, Office of Boards and Commissions – Administrator Jay Furfaro, Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

**CALL TO ORDER**

Chair Anderson called the meeting to order at 9:12 a.m.

**ROLL CALL**

Planning Director Michael Dahilig: Commissioner Mendonca?

Ms. Mendonca: Here.

Mr. Dahilig: Vice Chair Mahoney?

Mr. Mahoney: Here.

Mr. Dahilig: Commissioner Katayama?

Mr. Katayama: Here.

Mr. Dahilig: Commissioner Keawe? Commissioner Abrams?

Mr. Abrams: Here.

Mr. Dahilig: Chair Anderson?

Chair Anderson: Here.

Mr. Dahilig: Madam Chair, you have five (5) members present.

### **APPROVAL OF THE AGENDA**

Mr. Dahilig: Madam Chair, next you have Approval of the Agenda under Item C. The Department would recommend taking Item I.1.a., the General Plan Update, and moving that to the end of the agenda this morning, after New Business.

Chair Anderson: Do I have a motion to approve the agenda with the amendment?

Mr. Mahoney: Move to approve, Madam Chair.

Mr. Abrams: Second.

Chair Anderson: All those in favor? (Unanimous voice vote) Any opposed? Seeing none. Motion carries 5:0.

### **MINUTES of the meeting(s) of the Planning Commission**

Meeting of August 11, 2015

Meeting of August 25, 2015

Mr. Dahilig: Thank you, Madam Chair. We are now on Item D, which is the Minutes of the Meetings of the Planning Commission. These are meeting minutes for August 11<sup>th</sup> and August 25<sup>th</sup> of 2015.

Chair Anderson: Do I have a motion regarding approval of the meeting minutes for August 11, 2015 and August 25<sup>th</sup>?

Ms. Mendonca: Move to approve.

Chair Anderson: Do I have a second?

Mr. Abrams: Second.

Chair Anderson: Any discussion? (None) All those in favor? (Unanimous voice vote) Any opposed? (None) Motion carries 5:0.

## **RECEIPT OF ITEMS FOR THE RECORD**

Mr. Dahilig: Thank you, Madam Chair. We are now on Item E, Receipt of Items for the Record. You have nothing supplemental this morning, other than the items that were provided to the Commission at the time of packet distribution.

I don't believe an action is necessary on this.

## **HEARINGS AND PUBLIC COMMENT**

Continued Agency Hearing (NONE)

Mr. Dahilig: Item F. This is Hearings and Public Comment. Under Item F.1., Continued Agency Hearing, we have none this morning.

New Agency Hearing (NONE)

Mr. Dahilig: Item F.2., New Agency Hearing, we have none this morning.

Continued Public Hearing (NONE)

Mr. Dahilig: Item F.3., Continued Public Hearing, we have none.

New Public Hearing

Zoning Amendment ZA-2015-7: A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, to establish a process to permit Homestays in the Commercial Districts, Resort Zoning Districts and Residential Zoning Districts = *County of Kaua'i, Planning Department.*

Mr. Dahilig: Item F.4., New Public Hearing, Zoning Amendment ZA-2015-7. A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, to establish a process to permit Homestays in the Commercial Districts, Resort Zoning Districts, and Residential Zoning Districts. The applicant is our department and there has been a Director's Report that has been distributed for the Commission, Madam Chair.

The Department will be asking for deferral on this item as we believe more discussion is necessary, but at this time, we do not have anybody signed up to testify. The Department would recommend opening the public hearing at this time.

Chair Anderson: Is there anyone in the public that would like to give testimony on this agenda item?

Okay, seeing no one.

Mr. Dahilig: Madam Chair, the Department would recommend leaving the public hearing open, but deferring the item until the 2<sup>nd</sup> meeting in October, but also receiving the presentation this morning from the Department.

Chair Anderson: Do I have a motion from the Commission to defer the item until the 2<sup>nd</sup> meeting in October? But again, we will hear the presentation from the Planner today and the public hearing will remain open.

Mr. Mahoney: Madam Chair, move to defer as amended.

Mr. Abrams: Second.

Chair Anderson: Any discussion? (None) All those in favor? (Unanimous voice vote) Any opposed? (None) Motion carries 5:0.

## **CONSENT CALENDAR**

### Status Reports

Director's Report(s) for Project(s) Scheduled for Agency Hearing, September 22, 2015.

Special Management Area Use Permit SMA(U)-2016-1, Class IV Zoning Permit Z-IV-2016-2, Use Permit U-2016-2 and Special Permit SP-2016-1 to allow conversion of an existing residence into a homestay operation on a parcel located along the mauka side of Kūhiō Highway in Wainiha, situated approx. ¼-mile mauka of the Ananalu Road/Kūhiō Highway intersection and further identified as 4636-B Ananalu Road, Tax Map Key 5-8-006:010, and containing a total area of 2.52 acres = Michael Rodger.

Class IV Zoning Permit Z-IV-2016-1 and Use Permit U-2016-1 to allow conversion of an existing residence into a bed and breakfast operation on a parcel located along the western side of Waha Road within the Shintani Subdivision in Kalāheo, situated approx. 500 ft. makai of the Ulu Alii Street/Waha Road intersection and further identified as 3913 Ulu Alii Street, Tax Map Key 2-3-015:061, and containing a total area of 10,098 sq. ft. = Monica Jean Adams-Hansen Trust.

Class IV Zoning Permit Z-IV-2015-38 and Use Permit U-2015-37 to allow conversion of an existing residence into a homestay operation on a parcel located along the southern side of Aka Road in Lāwa'i, situated approx. 500 ft. east of the Hailima Road/Aka Road intersection and further identified as 3922 Aka Road, Tax Map Key 2-6-013:026, and containing a total area of 8,050 sq. ft. = Patrick & Judy Mahon. [Hearing postponed 7/28/15 due to applicant's failure to meet notification requirement.]

Mr. Dahilig: Thank you, Madam Chair. We are now on Item G, which is the Consent Calendar. We have no Status Reports for this particular Consent Calendar, but we have three (3) Director's Reports to set for Agency Hearing on September 22, 2015. This is for SMA Use Permit

SMA(U)-2016-1, Class IV Zoning Permit Z-IV-2016-2, Use Permit U-2016-2, and Special Permit SP-2016-1; as well as Class IV Zoning Permit Z-IV-2016-1 and Use Permit U-2016-1; and Class IV Zoning Permit Z-IV-2015-38 and Use Permit U-2015-37. These items, again, will be set for Agency Hearing on September 22, 2015.

Chair Anderson: Do I have a motion with respect to the Consent Calendar?

Mr. Mahoney: Move to accept.

Mr. Abrams: Second.

Chair Anderson: Any discussion? (None) All those in favor? (Unanimous voice vote) Any opposed? (None) Motion carries 5:0.

### **EXECUTIVE SESSION (NONE)**

Mr. Dahilig: Thank you, Madam Chair. We are now on Item H, which is Executive Session. We have none set for this morning.

### **GENERAL BUSINESS MATTERS**

Appeal from Permit Compliance Violation – Levy of Fines dated August 12, 2015, Exhibits “A” – “F” and Certificate of Service by Roy A. Vitousek III and Allison Mizuo Lee, Attorneys for Appellants Neal Norman, Melissa Norman; Harold Robert Downs and Sharon Lee Carroll; Matthew M Malerich and Judith E. Malerich; Zibo, LLC and Ohanahale, LLC.

Mr. Dahilig: Item I.2., Appeal from Permit Compliance Violation. This is levy of fines dated August 12, 2015, Exhibits “A” through “F” and Certificate of Service by Roy A. Vitousek III and Allison Mizuo Lee, Attorneys for Appellants Neal Norman, Melissa Norman; Harold Robert Downs and Sharon Lee Carroll; Matthew M. Malerich and Judith E. Malerich; Zibo, LLC and Ohanahale, LLC.

Madam Chair, this is to receive the appeal, as filed on August 12, 2015, but the Department would ask, after public testimony on this matter, that the Commission take action to defer return on this matter until the 2<sup>nd</sup> meeting in October as there is a settlement and compliance plan that is being worked out between the Enforcement Division and the Appellants.

Chair Anderson: Is there anyone in the public that would like to give testimony on this agenda item? Please step forward.

Caren Diamond: Aloha. My name is Caren Diamond. I just want to (a), thank the Planning Department for doing enforcement efforts, and kind of talk about the area where the sandbags are located. They are located in Hā‘ena, in a Conservation District, but they span across five (5) lots that are the most exquisite beaches that we have; not only on Kaua‘i, but in the State of Hawai‘i

and probably across the world. They are located between Makua and the Hā'ena County Beach Park, so they are in an incredibly sensitive area that has had no armoring. There is no shoreline armoring up there at all and these were temporary sandbags that were put in in 1997, so that's a very long time for temporary armoring to be there. I just want to thank you for your efforts, and ask you to prioritize the beach and protection of our coastal resources while you are working out these compliance issues. Thank you.

Chair Anderson: Thank you. Is there any further public testimony regarding this agenda item? Okay.

Mr. Dahilig: Again, Madam Chair, the request from the Department would be to receive the item, but defer return until the 2<sup>nd</sup> meeting in October.

Chair Anderson: Do I have a motion from the Commission?

Mr. Mahoney: Madam Chair, move to receive the item and defer to the 2<sup>nd</sup> meeting in October.

Ms. Mendonca: Second.

Chair Anderson: Any discussion? (None) All those in favor? (Unanimous voice vote) Any opposed? (None) Motion carries 5:0.

### **COMMUNICATION (For Action) (NONE)**

Mr. Dahilig: Thank you, Madam Chair. We are on Item J, which is Communication. We have none for action this morning.

### **COMMITTEE REPORTS**

#### **Subdivision**

Mr. Dahilig: Item K is the Subdivision Committee Reports.

Mr. Mahoney: Kaua'i Planning Commission Subdivision Committee Meeting – Tuesday, September 8. The Subdivision Committee members present were Sean Mahoney, Louis Abrams, and Amy Mendonca. Tentative subdivision action was taken. Item S-2016-1, Kukui'ula Development Co. (Hawai'i) LLC, TMK: (4) 2-6-019:022, 023, and 024; approved 3:0. Subdivision Extension Request. Item S-2007-16, Jack Nishimoto, et. al., TMK: (4) 3-2-002:033-036; approved 3:0. Final Subdivision Action. Item A, S-2006-49, Kaua'i Habitat for Humanity, TMK: (4) 2-1-001:052; approved 3:0. Item B, S-2013-02, State Department of Land and Natural Resources, TMK: (4) 3-9-001:002 portion/3-9-002:001 portion; approved 3:0. Called to order 8:28 a.m. Adjournment was at 8:48 a.m. Thank you.

Chair Anderson: Do we have a motion to approve the Subdivision Committee Report?

Mr. Abrams: Move to approve.

Ms. Mendonca: Second.

Chair Anderson: Any discussion? (None) All those in favor? (Unanimous voice vote) Any opposed? (None) Motion carries 5:0.

**UNFINISHED BUSINESS (For Action)**

Amendment to Class IV Zoning Permit Z-IV-2001-16, Use Permit U-2001-1-2 and Special Permit SP-2001-7 involving modifications to a cellular telecommunications facility, Tax Map Key 5-2-004:049, Kīlauea, Kauaʻi = Verizon Wireless.

Mr. Dahilig: Thank you, Madam Chair. We are now on Item L, Unfinished Business. Amendment to Class IV Zoning Permit Z-IV-2001-16, Use Permit U-2001-1-2, and Special Permit SP-2001-7 involving modifications to a cellular telecommunications facility, Tax Map Key 5-2-004:049 in Kīlauea. The applicant is Verizon Wireless. Again, this was received and matter deferred on the August 11, 2015 Planning Commission meeting.

Dale is our Planner and can update the Commission on further items relating to this matter.

Staff Planner Dale Cua: Good morning, Madam Chair and members of the Commission. I'd like to give you a little bit of background on the project in itself.

Mr. Cua read the Director's Report for the record (on file with the Planning Department).

Mr. Cua: That concludes the Director's Report.

Chair Anderson: Thank you. Does the Commission have any questions for the Planner?

Is the applicant here? If you could please approach.

Mike Beason: Morning, Chair and Planning Commission. My name is Mike Beason. I'm a consultant to Verizon Wireless. I did the original application for this site, and modifications since then, and submitted this application. Primarily I'm here to see if you have any questions on the site, and hope this modification can be approved.

Chair Anderson: Okay. Are there any questions for the Applicant at this time?

Have you reviewed the Director's Report?

Mr. Beason: Yes, I did.

Chair Anderson: Do you have any questions? Or are you in agreeance with the conditions as set forth?

Mr. Beason: No. I think that is a good summary of the site, and Verizon Wireless is trying to care for making the site work in the neighborhood.

Chair Anderson: Okay, thank you.

You can read the final recommendations.

Mr. Cua: As noted in the recommendation, based on the foregoing, the Planning Department recommends that the Planning Commission approve the amendment to Class IV Zoning Permit Z-IV-2001-16, Use Permit U-2001-12, and Special Permit SP-2001-7, the proposed improvements as represented by the Applicant in their submittal dated May 4, 2015.

Chair Anderson: Are there any questions?

Does the Commission have a motion for this matter?

Mr. Mahoney: Madam Chair, move to approve amendment to Class IV Zoning Permit Z-IV-2001-16, Use Permit U-2001-1-2, and Special Permit SP-2001-7.

Mr. Abrams: Second.

Chair Anderson: Any discussion? (None) All those in favor? (Unanimous voice vote) Any opposed? (None) Motion carries 5:0.

Mr. Beason: Thank you.

Special Management Area Use Permit SMA(U)-2015-10, Class IV Zoning Permit Z-IV-2015-42, Use Permit U-2015-41 to allow conversion of an existing guest house into a bed and breakfast operation on a parcel located along the makai side of 'Aliomanu Road in Anahola, situated approx. ¾ mile makai of its intersection with Kūhiō Highway, further identified as 4760 'Aliomanu Road, Tax Map Key 4-8-013:007, and containing a total area of 11,481 sq. ft. =  
Karen Hillstrom.

Mr. Dahilig: Thank you, Madam Chair. We are now on Item L.2. This is Special Management Area SMA(U)-2015-10, Class IV Zoning Permit Z-IV-2015-42, and Use Permit U-2015-41. Again, this is to allow conversion of an existing guest house into a bed and breakfast operation on a parcel located along the makai side of 'Aliomanu Road in Anahola, situated approximately ¾ mile makai of its intersection with Kūhiō Highway, further identified as 4760 'Aliomanu Road, Tax Map Key 4-8-013 parcel 7, and containing a total area of 11,481 square feet. The applicant is Karen Hillstrom. The Director's Report was received on 08/11/15. The hearing was closed and the matter was deferred to 08/25/15.

Madam Chair, Deputy Director Hull will give an update on this matter. As you can see from the audience, there is nobody else present, and he can further elaborate on where we are with this application.



Deputy Director Kaaina Hull: Good morning, Chair and members of the Commission. So this application was deferred at the last Planning Commission meeting because there was an issue with the authorization of the representative speaking, who was Mrs. Hillstrom's son, who didn't actually have authorization to speak. The Commission took a break in order to afford him the opportunity to get an email, essentially, to authorize him to later on appear. That was why the Commission was set for this date, was to further discuss matters with him as the authorized agent. Since that time, the Department has been in discussions with the Applicant, and in fact, they have conveyed that they intend to withdraw this application. They have stated that they sent the withdrawal letter to the Commission; however, we have not received it at this time. Without that letter officially, a withdrawal cannot happen at this date. Given that, the Department would recommend that we defer this to the next Planning Commission hearing to afford opportunity and time for us to receive that letter for you folks, and then action can be taken at that date.

Mr. Dahilig: Madam Chair, given that the Applicant is not present for this matter, and this is a quasi-judicial matter, and there are timelines that are also running, I would request that maybe we make three (3) calls for her name outside and see if there is Karen Hillstrom available. If not, then state for the record that three (3) calls were made for her name, and that she was not present to be here for this matter. So if there is a question of timelines, that call was made. If you could ask the Deputy Director to call for Karen Hillstrom three (3) times outside before resuming the matter.

Chair Anderson: If the Deputy could please make three (3) calls for Karen Hillstrom.

Mr. Hull: Madam Chair, the call has been made and it appears that the Applicant is not present.

Chair Anderson: For the record, three (3) calls were made and there was no response from the Applicant, Karen Hillstrom.

Mr. Dahilig: Madam Chair, given the lack of the opposing party available for the permit application, the Department would recommend deferring this to the next available Planning Commission meeting.

Chair Anderson: I have a question for the Planner with respect to the timeframes. If we defer to the next available, I just want to make sure if we are in that 60-day timeline to make that determination.

Mr. Hull: The last available planned Commission meeting is September 22<sup>nd</sup>, which is within the 60-day timeline.

Chair Anderson: Okay. So I would recommend that if there is a motion, to defer to September 22<sup>nd</sup>.

Mr. Abrams: Madam Chair, move to defer Special Management Area SMA(U)-2015-10, Class IV Zoning Permit Z-IV-2015-42, and Use Permit U-2015-41, Karen Hillstrom.

Ms. Mendonca: Second.

Mr. Abrams: And defer to September 22<sup>nd</sup>.

Chair Anderson: Discussion? (None) All those in favor? (Unanimous voice vote) Any opposed? (None) Motion carries 5:0.

## **NEW BUSINESS**

Zoning Amendment ZA-2015-7: A bill for an ordinance amending Chapter 8, Kaua'i County Code 1987, as amended, to establish a process to permit Homestays in the Commercial Districts, Resort Zoning Districts and Residential Zoning Districts = County of Kaua'i, Planning Department.

Mr. Dahilig: Thank you, Madam Chair. We are now on New Business, Item M. Again, we cannot take action on this item, but would like to have the Deputy Director present the presentation we have from the Department to open discussion on Zoning Amendment ZA-2015-7. Again, this is the homestay bill.

Mr. Hull: Good morning again, Chair and members of the Commission. Actually, to clean this up, the original draft ordinance that was submitted to you folks have the recommended amendments to the language of the CZO; however, it didn't have the "Findings and Purpose", so the Department has circulated that with you folks for the record. I'd like to read the findings and purpose onto the record.

Section 1, Findings and Purpose, the Council finds the 2000 Kaua'i General Plan recognized the need to develop a clear policy regarding B&Bs and vacation rentals. The General Plan recommended an implementing action to amend the CZO to facilitate the permitting of existing non-conforming alternative visitor accommodations. The Council complies with the policy of the General Plan and grandfathers existing single-family transient vacation rentals that registered and met the prior use requirements established in Article 17 of the CZO. In Ordinance No. 864, the Council further found that this bill does not apply to a bed and breakfast unit. It is the intentions of the Council to address these units as a separate matter after establishing a regulatory framework for single-family transient vacation rentals. Homestays are presently regulated through the Use Permit process. Although the Council bifurcated the issues of homestays in single-family transient vacation rentals, it is now appropriate to adopt a clear and specific standard and review parameters in which homestay applications can be processed. The purpose of this bill is to identify an enforceable definition and processing parameters in which homestay operations can be permitted with the Use Permit. That's the Findings and Purpose the Department is recommending.

Concerning the language, as the Commission will recall, this issue was before you folks earlier in the beginning of the year in which the Department actually submitted the exact same language that you folks have now before you. We were also, simultaneously at that time, faced with a bit of an enforcement crisis when the transient vacation rental owners that had been cited for illegally operating were attempting to use the CZO's definition at that time to somewhat manipulate the system or exploit a loophole in using the "lessee" terminology. So at that time,

the Department had recommended, essentially, gutting the entire draft ordinance and going to Council with just a tighter definition and timeline parameters...or I should say a quota system within a cap on how much could be processed within the next (2) years in order for the Department and the County to kind of get a handle on this issue. That ordinance with the definition change and the cap was passed with the cap being interim for two (2) years in order for us to come back and rework now with this comprehensive draft recommendation. So what you folks have before you is virtually identical to what was previously submitted with the exception of the fact that the definition has been changed and because the cap is intended to be an interim measure, we are recommending in this draft that the cap be, therefore, removed once this draft should be approved.

To give some background on it, essentially it allows for an over-the-counter permit process, whereby minor homestay applications can be reviewed over-the-counter. They are limited to two (2) bedrooms per operation, and are limited on a quota system concerning a CDP, Census Designated Place, at a ratio of 1 per 300 residents and in those CDPs that are over a population of 1,000. So some CDPs actually wouldn't qualify for it; smaller CDP areas. Then there is also the major homestay permit process in which homestays with up to five (5) bedrooms can apply, but they have to go through that Use Permit process, which this Commission this year is very familiar with. If you want to have that higher intensified use or go above and beyond the quota system for minor permits set for a respective CDP, they could go through that process as well. What you have before you is, I guess, the exact same language, or similar with the exception of the definition, that you previously had. We are ultimately asking for a deferral on this because of the fact...

Chair Anderson: Excuse me. I have to stop you there. There seems to be a technical issue with the sound, so I'm going to request a ten (10) minute recess and we'll begin again with your overview and update as to the proposed homestay ordinance. With that, ten (10) minute recess.

The Commission recessed at 9:38 a.m.

The Commission reconvened at 9:52 a.m.

Chair Anderson: Call this meeting back to order. Before the recess, we had a discussion and an update from the Planner on the proposed language on the ordinance for homestays. If you can please continue.

Mr. Hull: Actually, I was just wrapping up when we broke for that recess. At this point, I'd turn it over to the Commission to see if you folks have any questions concerning the bifurcation process, the minor versus major homestay process. I don't know, are there going to be some implications, as far as the previously permitted homestays that this ordinance may have. We're kind of opening it up. Essentially, we have submitted it out to several stakeholder groups from...everybody from concerned community organizations to different farm associations, as well as Board of Realtors, Chamber of Commerce. We've submitted out to all the stakeholder groups that have been testifying in the previous set of hearings. We, essentially, intend to request for your deferral after our discussion here to today to afford them the time to kind of digest what they've been given and get back to us with their questions or concerns. For now,

today, if there are any members of the public that wanted to give testimony, as well as any input that the Commission itself may have. Thank you.

Chair Anderson: Thank you. Does the Commission have any comments or questions at this time for the Deputy Planner?

Ms. Mendonca: I have a question. I just need some clarification. This is on the Section 18.1 where it says “no other individual designated representatives may act on the owner’s behalf.” Does that mean then that those who said we’ve hired somebody to stay there and manage the place becomes moot?

Mr. Hull: Correct.

Ms. Mendonca: Okay. What about those that have already done this previous to this ordinance and we’ve accepted?

Mr. Hull: I can double check on this, but if I recall correctly, we haven’t approved any that said that they will be using representatives. All of our recommended conditions of approval to this Commission, as far as I can recall that were approved, it required that the homeowner have the homeowner’s exemption and be on-site during the operation of the homestay.

Ms. Mendonca: Well, I remember we didn’t so much approve it, but there was a lengthy discussion regarding an owner who said they were going to set it to their daughter and the daughter was going to be there as the landlord, and there was a request for some kind of an agreement. So I assume that this would eliminate that completely, correct?

Mr. Hull: Correct.

Ms. Mendonca: The second question is that all Agriculture and Open Zoning Districts are now prohibited, what about...

Mr. Hull: Yes, that’s correct. That question has actually been coming from the public, as far as why is there no mention of Agriculture and Open. Ultimately, the way that the land use table works is that if there’s a specific land use cited and it is not listed in a particular district, then it’s outright prohibited. If it’s not listed as say P, which is permitted if you look at the table, P-Permitted or U-Use Permit, then it’s outright prohibited. That is something I think some of the members of the public are getting used to because this is still a relatively new table and perhaps it does beg the question of the Commission that we take that input, that we may need clearer language that specifically states “is prohibited in these districts”. That was our original proposal. We are meeting with various groups. It’s obviously going to be one of the big philosophical debates on whether or not this should be allowed on Agriculture, but right now we are holding the line that as a recommended regulatory mechanism, for now, that they should not be allowed on Agriculture lands or Open lands.

Ms. Mendonca: What happens, then, to those that have already been approved?

Mr. Hull: They would essentially have some of the non-conforming status. They have their land use entitlements via the condition of approval. Those conditions of approval are very specific in the amount of revenue that they have to be generating, as well as maintaining homeowner's exemption, and they also require to annually certify that they still meet those conditions of approval. Somewhat similar to the TVRs that have been going through the process or I should say the Non-Conforming Use Certificate TVRs that have been going through the process that have to annually renew. When they don't meet those, they are essentially phased out or they are found to be in non-compliance with the permit, and it has been incumbent upon the Department to bring those applications to you folks to deny the permit, essentially.

Ms. Mendonca: Okay, thank you.

Mr. Abrams: Question.

Chair Anderson: Okay.

Mr. Abrams: Kaaina, I'm thinking about those particular properties that are in the VDA area, that right now if you were a transient vacation rental, a whole house, that's an outright permitted use. Only thing you really need to do is register with the tax office, I believe.

Mr. Hull: Correct.

Mr. Abrams: So would there be some other special protocol for people who want to do a homestay in the VDA?

Mr. Hull: Essentially, they are outright permitted within the VDA, so they wouldn't count towards say the quota system counting and across the board; major or minor. They are outright permitted.

Mr. Abrams: So they are outright permitted. They don't really need to even register, I mean, because that use is there. I probably would want to make sure I get that clarified, I guess, at somewhere down there, but okay. So then everybody who's in the VDA, then everything else would apply to, and the subpart would be the particular zoning that the properties have that are outside of the VDA, would come under the criteria or additional criteria, for instance, if they are on Ag land or something like that, as opposed to Residential, right? Which is generally the way you been looking at the (inaudible).

Mr. Hull: The Residential outside of the VDA is what would come under the criteria. To be clear, as the previous discussion was going on with Commissioner Mendonca, is that under this draft ordinance, the Department is, as it previously was back in the beginning of the year, recommending that it not be allowed on Agricultural lands or Open lands.

Mr. Abrams: Okay.

Chair Anderson: Any other questions or comments?

Mr. Katayama: Kaaaina, could you explain the use of the Census Designated Place and how that will be applicable in this ordinance?

Mr. Hull: Yes. In looking at the previous transient accommodation ordinance that initially addressed homestays and bed and breakfasts, ultimately in the process, Council bifurcated the issue. They said we're going to deal with the transient vacation rental; however, the homestay or bed and breakfast issue, we need to put on the side for now and we will return to the homestay issue at a later point in time. The various things went on and the passage of a couple sets of TVR ordinances happened. However, the bed and breakfast issue kind of stayed on the shelf, and ultimately, the Department decided at this time, it's appropriate to return to that issue and look at a regulatory framework in which to permit them or prohibit them in certain areas. In doing so, we looked at an array of different homestay ordinances. In particular, Maui County which has a particularly insightful homestay ordinance that is set on a quota system. Now, their County went through a fairly substantive bed and breakfast study in order to look at feasibility, impacts, demand, and so on and so forth, to come up with those numbers. The Department quite frankly didn't have a budget to accomplish such a study, so we needed to look at that data which is available to us in order to essentially establish some sort of a quota system or a measure or control on how many of these types of permits would be allowed in a respective district. What we were able to come up with is the CDP measures, the Census Designated Place, measures a respective residential population within the Residential Zoning Districts, or well, throughout Kaua'i. In using that, we could look at it as a ratio of 1,000 being a certain level of a community that won't necessarily be significantly impacted by these transient accommodation uses. Then from there, saying at a ratio of what amount would be appropriate, and essentially looking at the various uses that were approved, as well as analyzing how many TVRs are in operation in various districts. While the Department holds that the TVRs and homestays are different operations in the sense that the homeowner on-site serves as a regulatory mechanism, they still are a transient accommodations of a sort and will have the impacts on neighborhoods, so we essentially came up with that number of 1 per 300.

Mr. Katayama: So sort of at a very basic level, what are the key metrics that this census will provide for the Department establishing the number of homestay units that can be accommodated in any residential area? I mean sort of keeping it at a very high level simplistic way for us to determine impact, I guess that's what this whole thing is, a carrying capacity of additional homestay units. At the end of the day, what are the metrics that's coming out of this data?

Mr. Hull: As an example...I can't think off the top of my head of a particular CDP number for an area.

Mr. Katayama: I mean, you don't have to do it today, but...

Mr. Hull: But I can say like, if Po'ipū or Kōloa...Kōloa is around the 2,000 residents in that area, or say give it a little more, give them 2,100. It is around 2,000, but say they have 2,100, then you could essentially have seven (7) over-the-counter permits in that area; that 1 per 300 ratio. You also have certain areas that don't have 1,000, which is the baseline minimum the Department is recommending. So you say a place like Hanalei, where it doesn't have 1,000

residents living in that CDP, would therefore be required to automatically apply for a Use Permit which would help further determine the compatibility in this smaller CDP.

Mr. Katayama: As that number changes, do you then restrict the number of permits that are issued? Or does the number of permits increase with density?

Mr. Hull: As the number increases, the ratio allows for essentially, yes, more homestay applications. But as that number decreases, then it also restricts how many can be there later on if the lot hasn't been filled. But yes, it essentially depends on the residential density of a particular area, and as that residential density grows, we're saying there's more people living there, there's more infrastructure, there's more housing, and therefore have less impact as you increase to that one (1) other unit.

Mr. Dahilig: Just to add, in terms of a Census Designated Place, the population is actually delineated once every ten (10) years. So in terms of a rolling reset, or a recalculation of how many units or bed and breakfasts would be available under this theory, it wouldn't be a rolling type of situation where we would have to chase a metric down constantly. It would be once every ten (10) years. From an operational standpoint, it's a pretty fixed and predictable number that we operate with.

Mr. Katayama: So the underlying assumption would be then is that as residential density increases, the infrastructure to support that increase has been put in place.

Mr. Dahilig: That's the initial presumption. If there's actual growth that's happening in any area as a consequence of population expansion given the decennial census, we have to take at face value that the increase is essentially derived through legal means. So I think that's the presumption. Now, whether or not we can further delineate that or there can be caveats to how that number is arrived at by the Census Bureau, certainly we could do that, but we have to take the data at face value if people are declaring that they're living within a CDP.

Mr. Katayama: In other municipalities that use this, do they have any caveats? For example, traffic load limits, water availability. I mean, if you have restrictions in water meters in a growing census area, wouldn't by allowing additional homestays sort of go counter to that kind of permitting or use?

Mr. Hull: The only one that I can recall...because things like water, as an example...

Mr. Katayama: And traffic.

Mr. Hull: Yes, or traffic, generally have been established on the...like say, especially for water, like the bedroom count, or even septic systems, the bedroom count in a particular house or residential dwelling, and therefore because the proposed structure when it came in with two (2), three (3), four (4), five (5) bedrooms, certain calculations or demands were imposed by them by those various agencies. So as far as water or traffic, I haven't seen anything that I can recall in other ordinances with the exception of septic, and I believe some have used this higher entitlement to get septic systems on-site. The Department thought that would be advisable as

well, so regardless of what Department of Health requires via their rules and regulations in the draft ordinance, we're basically stating if you are going to apply for this permit, you will upgrade to a septic that meets Department of Health standards. So that's the only one I can think of at this time, Commissioner.

Mr. Katayama: Good. Thank you.

Chair Anderson: Other questions or comments?

Mr. Abrams: So the census is on population as opposed to dwellings that are there. And so from a housing standpoint, I can see the challenge of allowing too much because that may displace individual people being able to have someplace to reside. But you're only using the existing dwelling, right, that is there that would accommodate whether or not you have a full family or roommates, I guess would be the only type where you're renting out rooms in the house, right? Is there a division between that in regards to a level of rooms that you could rent before you become something like a boarding house or unrelated families? You know what I mean, in regards to that because I've always kind of looked at this homestay where you are really not increasing the load in regards to the use of the house; maybe there are the same number of bodies or less, depending on what is there, and maybe the same number of cars that could be utilizing the traffic that's driving in or out, as opposed to having other people/family who usually had a car, but had moved away; those type of things. So the differentiation that you are using in regards to allowing it by census is...and that goes every ten (10) years, do you actually think that other person who is a transient rental is taking away from the residential population then? That you're using actually in making these determinations.

Mr. Hull: No, no. The transients won't be counted in that census number, but I think the point in...correct me if I'm wrong, Commissioner Abrams, but I think the point you bring up about things like housing stock is a very interesting point. If you guys may recall, the Housing Agency has commented on virtually every single homestay application that came before this commission stating they don't have an objection to the specific applications...if I can word it correctly...but overall, the permitting of transient accommodations in these dwelling units takes room out of housing stock for residents here on Kaua'i in a sense that while it doesn't take away the dwelling right, it does take away the potential of possibly renting out a room to a long-term renter, which you can do under the Kaua'i County Code. So it is of particular concern and I think we'll be awaiting Housing's comments, we haven't received them yet for this particular draft ordinance, to see where they may want to go with this.

Mr. Abrams: Yes. This TAZ boundary that is part of the General Plan and that is also done by the census, and it says that it is different from the way the County is using a TAZ boundary. I'm not quite sure. I'm just reading the General Plan. Let's see, where is it? Traffic Analysis Zones, a TAZ, is a geographical and most commonly used in transportation planning and analysis. Each TAZ defines an area containing similar kinds of land use. It's used by transportation planners to forecast changing and commuting, trip volume, facilities. The Planning Department provided the GIS file to the TAZ boundaries to be used in the General Plan Update and ongoing development plans. The TAZ boundaries usually change with each census as a census block.



U.S. Census provides TAZ boundaries, but the census version is different from the County's version that is used in our General Plan analysis. That's what it's saying in the buildout analysis.

Mr. Hull: Yes. I believe that's a different measure as opposed to the CDP. The CDP will be looking at...I'm trying to think correctly. We have Marie in the back who is our census expert here. But they're essentially a different measure, a different measure of unit for population growth.

Mr. Abrams: Okay, but they have a TAZ; they provide TAZ boundaries also. So I'm not quite sure how theirs is different from what is operating now.

Mr. Hull: I believe that the function of them are different.

Mr. Abrams: Okay. Alright.

Chair Anderson: Other questions?

I have a question with respect to looking into, perhaps, other legal mechanisms to provide this homestay privilege within the community. One of the issues that we deal with consistently is that whether or not a particular right that we're vesting in an applicant, if it's appropriate to be something that runs with the land, given this situation where we have a proposed limit on the number of homestays available. And if that becomes consistent with a Use Permit that is able to run with the land, that there are questions of fairness there. I'd like to see if the Department can look into other avenues, such as perhaps providing a license to operate a homestay, and given that a license to not run with the land, and that there may be better ways in order to track it, and also be able to revoke it without bringing in the extent of the property rights that are vested in a Land Use Permit. So that's one of the questions I have.

The other one is, when we're looking at the total number as proposed, would the Department, in calculating these quotas, are they inclusive of those other homestay units that have been permitted in the previous ordinance or in the past? So if we're looking at, you know, you gave the example of Kōloa, if there's 2,100 and there's seven (7) allowable homestays, and they've already grandfathered three (3) or four (4) in the area, does that only allow for three (3)? Or would the seven (7) be on top of those that have already been grandfathered?

Mr. Hull: All the other ones that were permitted were done so under the Use Permit process, so in the quota system, really right now at least, it applies to the minor homestay application, which would be under a different track than that. So in my opinion, it wouldn't apply, but that's kind of a question you also might want to direct to the County Attorney at this time.

Chair Anderson: Okay.

Mr. Dahilig: And I guess, with respect to the business licensing, or the privilege licensing, and pairing that with zoning privileges, it's not a novel idea when you look across the Country in terms of whether from a policy standpoint, the desire of having something run with the land is a little too firm or too galvanized with respect to the cache of privileges that is allowed for

somebody. So I think that's something we can definitely research with the County Attorney's Office as well, whether or not there are other privilege type licenses that we could provide for this type of use and maybe we can present that as options for the Commission as we move forward in dialog on this matter.

Chair Anderson: Okay.

Mr. Katayama: Is there a statutory vehicle to allow for the Department to issue licenses?

Mr. Dahilig: That's exactly what I think we need to research. When we look at what licenses the County already provides via its own business processes, a lot of those are statutorily mandated. And whether or not such a mechanism can be drawn back to organic authorizations from the State, pursuant to HRS 46, or any other type of statute; that's what we need to find out first before we come back to the Commission.

Mr. Katayama: But certainly the concept of having this, to me, separated from land is very appealing because of this quota system that you need to have the ability to transfer it from an agency point of view to people who are actually going to use it, as opposed to people who have received it and choose not to continue to take advantage of that.

Mr. Dahilig: I think, at least from my recollection of 46-4, which is the zoning authorization statute from the State, there's nothing in there that's prescriptive to permitting as the mechanism for entitling a use. At the end of the day, use regulation is within the province of this Department. So whether that can be also achieved via another mechanism beyond just what traditionally has been the zoning permit, it's something I think we need some time to explore for dialog.

Mr. Katayama: Good.

Chair Anderson: Any other questions or comments for the Department? Or for the Planner?

Okay. Thank you, Mr. Hull. I did notice there is one (1) audience member here. We are discussing the proposals for homestay ordinance. Would you like to give public testimony?

Okay, thank you. Thank you.

## **GENERAL BUSINESS MATTERS (Continued)**

### **General Plan Update**

Mr. Dahilig: Thank you, Madam Chair. We are back to Item I.1.a. This is an update for the Commission regarding the General Plan. As we have Marie Williams and Marisa Valenciano prepare their presentation for you, and it will be an interactive one, just as a warning to all of those in the room; you'll be asked to participate as well. We launched the General Plan Update last fall, so the process has been going on for close to ten (10) months now from the notice to

proceed on the contract that was given. I'm sure you've seen some of it throughout the community. They've done a number of public outreach items that they'll be updating you on. We found it appropriate that this is a good juncture for us to give an update to the Commission as to where we are on things. We do have another additional meeting scheduled with the Task Group. If you may recall, there's a task group that was assigned to take a look at, more in depth, some of the policy development that is going into these regional and this General Plan, so that will be continuing on, Madam Chair. But I think, for the benefit of the full body and for the public in terms of what's streaming, background as to what's been done so far, and where we are heading. We thought it appropriate to have Marie and Marisa...Lea lost her voice, she has laryngitis, so unfortunately it probably doesn't make any sense for her to be in front of the Commission today, but I'll go ahead and turn it over to Marie, and she can give you some update and you can dialog with her on what's been going on, so Marie.

Staff Planner Marie Williams: Good morning, Chair Anderson and the rest of the members of the Planning Commission. As Mike said, the Long Range Planning Division has launched the General Plan Update. Sorry, don't mind us as we prepare the projector. Thank you for accommodating us. But to provide you with some background, first of all as most of you are very familiar with our existing General Plan that was last updated in the year 2000, about fifteen (15) years ago, and as a rule of thumb, we seek to update this plan about every ten (10) years. So we are a little behind schedule, but we've actually started doing the preplanning work for the General Plan Update in the year 2011. If you don't mind, I will assist with getting our projector set up. So, excuse me.

It'll take us about five (5) minutes or so to prepare the projector, but the presentation will show you...it does highlight the work done so far. We have completed our preplanning phase and our public education phase of the project. I do have a Director's Report as well. In lieu of reading the Director's Report, we will give you a much more visually interesting and interactive PowerPoint presentation that gives you a little taste of what we did at the presentation at our public/community open house events back in May. So sorry, it'll just take a minute or two for the computer to restart.

Perhaps while we're waiting for the computer to restart, Marisa Valenciano will be passing around our General Plan educational flyer that we have given out at our various public outreach events. If any of you have any questions about the flyer, I could answer those right now. If you look at the back of the flyer, and for those who might be watching this presentation online or on TV, this flyer can be found at the project website, which is [plankauai.com](http://plankauai.com). It's a website that has information about all of our events, contains all the comments we've received so far, and provides educational material, such as this one. But the back of the flyer does explain the various means that we are trying to solicit input from the public. We have our website. You can submit comments directly on the website, or you can email our project email, which is [plankauai@kauai.gov](mailto:plankauai@kauai.gov). You can also call the Planning Department at (808) 241-4050. You can also interact with us on Facebook. The Planning Department does have a Facebook page. We are also on Instagram. This project has an Instagram page. Our handle is @plankauai. We've already conducted two (2) Instagram contests, and we plan on conducting a few more as well. This is our means of trying to engage with the youth, of course, as we know that we won't be attracting everyone to the typical, traditional outreach event.

Chair Anderson: As we're waiting to setup the presentation, we'll go ahead and take a ten (10) minute recess.

The Commission recessed at 10:29 a.m.

The Commission reconvened at 10:34 a.m.

Chair Anderson: Call this meeting back to order.

Ms. Williams: Thank you, Chair. I apologize for the delay, but thank you for the recess. We are ready to begin the presentation. Again, this presentation is simply an update to you about the progress the Long Range Division has made thus far on the General Plan Update. Again, as Mike said, we are about nine (9) to ten (10) months into an anticipated two (2) to two and a half (2 ½) year process, so we do have a lot of work ahead of us, but we have completed the very important preplanning work.

To start with, the County hired a consultant to work with us on this General Plan Update; the lead is SSFM. They are based on O'ahu, but they do have a branch here on Kaua'i. We have also hired sub-consultants. We have Opticos Design and they specialize in urban form and form base code, and we have a range of other sub-consultants that have expertise in economic development, transportation, and research, and public engagement as well. Next slide.

We also have convened a community advisory group, as we do with all our community plans. This is a group selected by the Planning Director. We have a range of...and you can see all the names are listed there; however, I would like to add that another committee member, Bev Brody, is now onboard as well, and we will possibly be adding another name or two. You're probably familiar with some of them. We have former Planning Commissioners onboard as well, but the intent is to bring a diverse group representing diverse fuse together to help guide us as we develop the General Plan process. Next slide.

Now I'm going to primarily focus on our community engagement process. At the very start, we began with, well what is the brand of this plan? What do we want to convey? What is an image that we can present that people will associate with the General Plan and want to be involved? With the help of the Planning Director, we came up with "Kaua'i Kākou". We all know what "kākou" means. It means that basically we are all in the same boat; we are all paddling and we have to work together to achieve our goals. Essentially what we're saying through this is that everyone has a say and we want everyone who participates to see themselves playing a role in this plan and how we implement this plan. And that even though we have many diverse viewpoints on Kaua'i, that by working together we can harness this to develop a plan that is consensus driven as much as we possibly can make it. Next slide.

Once we developed our brand, we established a project website, and this is a really great website. Our consultant hired a very talented designer and I encourage all of you to go to [plankauai.com](http://plankauai.com) because I think you'll find it a treasure-trove of data and info related to the General Plan. It's actually been very effective. We've already received over 1,000 views. It's also connected to a social media campaign on Facebook and Instagram, and that has reached, believe it or not,

40,000 views, according to what Facebook reports to us. As you can see, we're using all the means available to us in this day and age to do our outreach. Next, please.

Our General Plan educational flyer was handed out to you, but you can see that as much as we possibly could, we had our brand first and foremost, so people could easily identify with Kaua'i Kākou. We also tried to very clearly state the means that people can engage with our planning process; especially if they were not interested in attending a typical, traditional open house event as many people simply might not have the time to go to. These fact sheets are also available on the project website as well. Next, please.

One (1) of our first big events was back in May. The website was launched in April, and then May was our really intensive month where our whole Long Range Group, several staff, we basically canvased...we spent a week, nine (9) days, going across Kaua'i. We were at the library, we were at Truck Stop Thursday on Rice Street for example. Almost every day we went to two (2) different events, and we set up a pop-up tent and you can see pictures of our pop-up tent and our displays. We invited people who passed by, and sometimes we actually would get out and stop them, and pull them to us, but to be engaged and we educated them on what the General Plan was, and we asked them to share their vision. We asked them to be very honest and blunt with us about what they felt the problems on Kaua'i were. We received a lot of input through that. We definitely reached out to people that we probably would not have heard from unless we physically interacted with them through this week. Next slide.

What else we did, we realized that Kaua'i has a wealth of small groups; these are community-based small groups, so we reached out to as many as we possibly could. We actually have a list of fifty (50) or so groups, but these were the ones that we were able to set up...that actually returned, reached back to us, and agreed to meet with us. You can see there is a whole range of groups, and we spent one-on-one time with all of them. Most of these meetings lasted an hour or two, and we were able to receive their feedback. Basically, we asked them "what's happening on the ground?" "Through your work, what do you see the critical problems are?" And "how can we help?" There was also a lot of education about the General Plan to these groups as well. I'd just like to add that if anybody watching is a member of a small group, feel free to contact us and we would love to meet with you, so that process is still open right now. Next slide.

We also had a Keiki Art Contest. If you don't mind, I think that the person that came up with this wonderful idea will speak briefly about the art contest and the results.

Staff Planner Marisa Valenciano: As Marie mentioned, the Keiki Art Contest was part of a bigger goal, which for us, was to get a lot of younger input into the General Plan process. So this Keiki Art Contest was meant for...we advertised this poster in all of the public schools, as well as some of the private and charter schools on the island. In total, we received over three hundred (300) entries; all different entries that were submitted had different themes. The themes included everything from wanting to protect the environment, talking about Kaua'i's natural beauty to wanting more activities, maybe more parks, more sidewalks; I know zoos were popular. These were all actually used as input into the General Plan process. This occurred over the spring of this year.

In addition, we also started an Instagram contest to raise awareness; especially with the youth of Kaua'i, but also the younger population. We had several contests; two (2) in particular. Some of the pictures posted are on the screen for you.

Ms. Williams: Okay. In addition to Facebook, Instagram, and Pop-up Week, of course we also went out to every single planning district and we did a typical open house event where we invited the community at-large to come, to spend one-on-one time with us, and to hear a presentation by SSFM about the General Plan. We also shared with them the initial feedback we had received on Facebook and Instagram, and during Pop-up Week as well. Those are the dates, and those are the meeting places. At every open house event, we had a private comments box, just in case somebody preferred to write down their comments and give it to us, instead of speaking it out loud. We had our display boards, and we also created a display of every single comment we received during Pop-up Week. You can see it at the bottom-right. The man is standing in front of a mural we made from the comments. We had a map and information on our population projections as well. One (1) fun element of the open house was a poll, an interactive poll, which we will do with you as well, very shortly. Next.

Right now, we are in the policy development stage. We have received over 1,000 individual pieces of input. Now it's time to take that input, along with all of the technical reports that we have completed as part of the technical report process of the General Plan, as well as the initial preplanning work the Planning Department and the consultant team has done. We are trying to organize all this input into topics, and working on draft policy as well. We will be providing this info to our Citizens Advisory Group. We intend to work with this Commission through the Long Range Group established by the Chair. We will commence our meetings with them this month.

In terms of next steps, the next major public event will take place in about two (2) months. We are working to secure the actual dates, but we will be going out to the community at-large to do workshops on place types. We will primarily be focusing on the planning districts that have not yet completed a community plan. Meaning, as you are aware, South Kaua'i and Līhu'e, their community planning process is complete, so we would like to turn our attention to the other planning districts and have a sense of how they are dealing with growth and how we should treat the General Plan land use map for those areas.

Again, those are the various means that the public can interact and engage with us. Feel free to come to the Planning Department front counter and speak with the Long Range Staff or call us as well.

Okay, now we will give you a little taste of the interactive poll that we typically do every time we meet with the community. This is the means of ensuring that everybody that attends one (1) of these events that we are hearing from them because as we all know, some people are more vocal, some people prefer not to speak out. So we wanted to ensure that we had a way of getting input from every single person that attends one (1) of our events. Marisa will explain how to use the polling device.

Ms. Valenciano: On your polling devices in front of you, you want to go ahead and press the "enter" button; it's that oval looking button that says "enter". You want to go ahead and press

that and it'll start your i-clicker. As we have the questions on the screen, each number/letter corresponds to the choices up above on the screen. For example, if your favorite color is A, which is blue, you would press that first button that says "1/A". All you need to do is press it once and it should calculate, and your responses should be counted on the top where it says responses. I believe there are about eight (8) or ten (10) participants today, so that total number should equal to the number of participants and clickers out there.

You can go ahead and answer this question "what is your favorite color?" You want to click your pointer in the direction of the laptop. The laptop has that central... So there are six (6) responses. I think there are more clickers out there. Did everybody get a chance to click their response? Okay, so we'll close the question for now. As Marie clicks the response, you can see the bar graph which shows the results. For example, I believe the first two (2) choices, blue and green, were the top colors. We'll move on to the next question; this was a sample.

Sorry, Marie, I don't know what... Sorry, Marie designed the questions.

Ms. Williams: The first question was an easy one, so I wanted to test you a bit and this one is a word scramble. If you can see the words, pick the word group that you could throw in with the other words to unscramble and create a planning related phrase; two (2) words.

Marisa, is there a way to move the little polling bar? I think you might have to go to the far left; that dot to...yeah, there we go.

You can guess, but if you could submit your answer now. Okay, we'll go ahead and close it. Yes, that's correct; 80% of the respondents got C. The phrase is "smart growth"; a term you should all know. (Laughter in background)

Those were the fun questions, but now we'll take you through some questions that we did ask at our public outreach events in May. The first question is "what do you think generates the most population growth on Kaua'i?" Is it domestic migration, meaning from the neighbor islands and the U.S. mainland; is it foreign migration from Asia; or is it natural increase? And natural increase, of course, is births minus deaths. Okay, please close the poll. Okay, a little glitch, but it seems that 33% thinks that our population growth is primarily generated from domestic migration. I think it's missing a bar, but that does happen sometimes for one reason or another; I apologize. But the correct answer is that natural increase is responsible for 60% of this island's growth. Next.

The Center for Neighborhood Technology recommends that housing and transportation costs should not exceed 45% of household income. What percent does the average Kaua'i household income spend on this? Meaning housing plus transportation costs. Okay, please close the poll. Alright, another glitch. Sorry about that, but the correct answer is C, 62%. Okay, next slide.

Now, to save on transportation costs, since they are quite high on Kaua'i as a percent of our average household income, how would you prefer to commute to work? A) With a bicycle, using improved bicycle lanes. B) On foot, using sidewalks. C) By carpooling. Or D) by bus,

but with more routes and stops. Okay, nobody wants to bike or walk. (Laughter in background) Seems the majority of you would prefer to commute via carpooling or by bus.

Okay, and that was the end of our little poll, but our poll with the public lasted about...was basically part of a two (2) hour presentation, and it was a lot more in-depth, but we found it an especially effective way to ensure that we were hearing from everyone and not just the most loud voice in the room.

Okay, and that's the end of our project update. Do you have any questions?

Chair Anderson: Any questions?

I had a question on the slide when you presented, sort of, the phase that you're in at this point. After you receive the public input and there's this...the assimilation of input, can you describe how that process works?

Ms. Williams: Yes. As you can imagine, the project team was thinking about the final plan, the actual way we organize the plan, and ideas for the output, what the final plan will look like, what it will say, how we will implement it, basically from Day 1. We were all thinking about this. In some ways, this stage of using input to develop the actual plan is a very long, long phase. But yes, we did receive a lot of input; especially in May. What we've done is, we've done two (2) things; first of all, we took a lot of that input to develop a draft statement for looking forward to the year 2035. What can we expect? What are the hopes? And we have a paper that is available on plankauai.com that summarizes all of the input we received and presents some draft statements related to the year 2035 for people to...if you want to, feel free to download that document online, and I can provide it to the Long Range Committee as well. What we're doing right now also is developing a white paper that summarizes the key groupings of concerns that we heard. It's a very thick report, about one hundred (100) pages, that will be available online, and this is kind of a precursor to the actual draft plan that we hope to get to by summer of next year. We are trying to package the input we've received and kind of show how we're thinking, how we're using this to generate ideas and actions and goals, and by being transparent by having it available in a document or some form. If people are interested in being part of the policy development process, they are free to attend the meetings with the CAC. Those are all posted online as well, and that's where we really get into the meat of the ideas and the issues.

Chair Anderson: Any other questions?

Thank you, Marie.

Ms. Williams: Thank you.

## **ANNOUNCEMENTS**

### Topics for Future Meetings



The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Līhu'e Civic Center, Mo'ikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Līhu'e, Kaua'i, Hawai'i 96766 on Tuesday, September 22, 2015.

Mr. Dahilig: Madam Chair that is all the business that we have on the agenda for this morning. The Department has circulated the list of the upcoming permits that are either in process of intake or have been scheduled for Planning Commission action or at Contested Case Hearing. The next meeting of this Commission will be in this room at 9:00 a.m. on Tuesday, September 22, 2015.


Chair Anderson: With that, is there any new business that the Commission would like to bring up for the next meeting?

Seeing none, this meeting is adjourned at 11 o'clock.

### **ADJOURNMENT**

Chair Anderson adjourned the meeting at 11:00 a.m.

Respectfully submitted by:

  
\_\_\_\_\_  
Darcie Agaran,  
Commission Support Clerk

( ) Approved as circulated (add date of meeting approval)

( ) Approved as amended. See minutes of \_\_\_\_\_ meeting.